IN RE:

PETITION FOR ZONING VARIANCE

E/S Boulevard Place, 65 ft. N

of c/l Sparrows Point Blvd.

2605 Boulevard Place 15th Election District

7th Councilmanic District

Charles Grimm, et ux

Petitioners

BEFORE THE

ZONING COMMISSIONER

DONAING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 95-109-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 2605 Boulevard Place in the Lodge Farm section of Baltimore County, near North Point Creek. The Petition is filed by Charles Grimm and Trina Grimm, his wife, property owners. Variance relief is requested from Sections 400.1 and 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit accessory structures, (garage and pool) in the front yard with a 26 ft. setback to the water in lieu of the rear, and the minimum 30 ft. required. The subject property and relief requested are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the requisite public hearing held for this case was the aforementioned property owners, Charles Grimm and Trina Grimm. There were no Protestants or interested persons present.

Testimony and evidence was that the subject property is approximately .188 acres and is zoned D.R.5.5. As noted above, this is a waterfront property adjacent to North Point Creek. The property is a long and narrow lot and ranges in depth from approximately 140 ft. to 180 ft. The lot is approximately 55 ft. wide. The property is presently improved by a two story vinyl siding dwelling in which the Petitioners reside. There is also a macadam driveway and wood deck attached to the house. In the front yard, between the house and the water, a free standing garage 14 ft. x 24 ft. is located. Mr. and Mrs. Grimm indicated that this garage has been on

ORDER RECEIVED FOR FILING Date 10/2/1994 By M. Horak

MICROFILMED

1097/99 100 NO 1

the site for many years and existed well prior to their purchase of the property in 1989. The garage is used for storage purposes, mainly to keep lawn furniture, tools and similar items. There is no apartment in the garage and the property is not utilized to support any commercial venture.

As to the swimming pool, this is a circular pool approximately 21 ft. in diameter. The Petitioners indicates that they installed the pool in the Summer of 1994. As is evident from the photographs submitted, many of the other neighbors have a pool.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. It is to be noted that the rear yard of the property, between the house and road, is extremely narrow and could not accommodate either the garage or pool. The difficult sight constraints of the property constitute a practical difficulty upon the Petitioner. Moreover, the location of the pool and the garage is not detrimental to the surrounding locale and relief can be granted so as to be within the spirit and intent of the regulations. I am particularly impressed by the fact that numerous other houses in this community, likewise, have pools or outbuildings. The front yard appears to be well maintained and is attractive.

It is also noted that the Petition for Variance has undergone review by the members of the Zoning Plans Advisory Committee. A comment has been received from the Department of Environmental Protection and Resource Management (DEPRM) regarding the proposal. Obviously, with its waterfront location, the site is within the Chesapeake Bay Critical Area. The comment indicates that an administrative variance must be received from DEPRM from the requirements of the Chesapeake Bay Critical Area legislation.

The relief granted herein is conditioned upon the Petitioners obtaining that variance and complying with the Chesapeake Bay Critical Area act.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2 day of October, 1994 that a variance from Sections 400.1 and 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit accessory structures, (garage and pool) in the front yard with a 26 ft. setback to the water in lieu of the rear, and the minimum 30 ft. required, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The subject relief is conditioned upon the Petitioners obtaining an administrative variance from DEPRM from the relevant provisions of the Chesapeake Bay Critical Area Act. The Petitioners shall fully comply with all restrictions and limitations prescribed by DEPRM pursuant to the provisions of the Chesapeake Bay Critical Area Act.
- When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

October 26, 1994

Mr. and Mrs. Charles Grimm 2605 Boulevard Place Baltimore, Maryland 21219

> RE: Petition for Variance Case No. 95-105-A Property: 2605 Boulevard Place

Dear Mr. and Mrs. Grimm:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

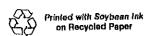
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.







Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2605 BOULEVARD PLACE

Contract Purchaser/Lessee: (Type or Print Name) Signature Address City State Signature Signature Signature Address City State Signature Signature	egulations. ing of this petition, and further agree to and are to suant to the Zoning Law for Baltimore County. declare and affirm, under the penalties of perjury, that I/we are the eproperty which is the subject of this Petition.
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(Type or Print Name) 2605	BOULEVARD PLACE 477-5171
Address	
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BAUTO.	Ma 21219
Signature City	Cholo
Name, Address and	state Zipcode shone number of representative to be contacted.
Cina	co Game
Address Phone No Name	TAS CHIMM
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. 95-109-A

ZONING DESCRIPTION FOR 2605 Boulevard Place

Beginning at a point on the East side of Boulevard Place (formerly White Ave.) which is 30 feet wide at the distance of 65 feet North of the centerline of Sparrows Point Blvd., the nearest improved intersecting street, which is 30 feet wide. Being known as lot number 3109 in the subdivision of Lodge Forest as recorded in Baltimore County Plat Book #10 . Folio #76; containing .18 acres. Also known as 2605 Boulevard Place and located in the 15th Election District, 7th Councilmanic District.

MICHAEL MELL

CERTIFICATE OF POSTING 95-109 F ZONING DEPARTMENT OF BALTIMORE COUNTY Town, Maryland

Posted for: Variance	Date of Posting
Posted for: Variance	
Petitioner: Charles & Tring Gy	m
Petitioner: Charles & Tring Gys. Location of property: 2605 Boule Vo.	rd Placy Els
Location of Signs: Facing You Lawy 1	n property being zones
Remarks:	
Posted by Manager Signature	Date of return: 18/14/94
Number of Signs:	



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified nerein in Room 106 of the County Office Building, 111. W. Cheapeake Avenue in Towson, Maryland 21204 or Room 118, Old Counthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-109-A
(item 109)
2605 Boulevard Place
E/8 Boulevard Place, 65' N
of centerline Sparrows
Point Boulevard
15th Election District
7th Councilmanic
Legal Owner:

Charles Grimm & Trina Grimm Hearing: Monday,

Hearing: Monday, October 24, 1994 at 11:00 a.m. in Rm: 118, Old Courthouse

Variance to permit accessory structures (garage and pool) in the front yard with a 26-toot water setback in lieu of the rear yard and minimum 30 teet, respectively.

LAWRENCE E, SCHMIDT Zoning Commissioner for Battimore County

NOTES: (1)Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2)For information concerning the File and/or Hearing, Please Call 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,	Oct.	6	19 94

THE JEFFERSONIAN,

HERAL AD. TOWSON

MICROPHIEF



Ball more County Zoning Administration & Development Management 111 West Chesapouke Avenue Towson, Maryland 21204

fallesen

Account: R-001-6150

Number

95-109-A Taken In By: mill I tem : 109

Date 9/23/94

Grimm, Chorles - 2605 Boulevord Place

010 - Zoning banance - \$ 50.00 000 - 1 sist posting - \$ 35.00

Total -# 85.00

OLAUTADI ASMICIRE PA COLL:07AM09-23-94 \$85.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue 9 Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES 95-109-A

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

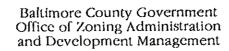
ARNOLD JABLON, DIRECTOR

For newspaper advertising:	
Item No.:	V
Petitioner: MR. AND MRS. CHARLES GRIMM	
Location: 2605 BOULEVARD PLACE	•
PLEASE FORWARD ADVERTISING BILL TO:	,
NAME: CHARLES GRIMM	
ADDRESS: 2605 BOULEVARO PLACE	
BALTO. MO. 21219	
PHONE NUMBER: 477-5171 MICROFIL	LMED

AJ:ggs '

(Revised 04/09/93)







111 West Chesapeake Avenue Towson, MD 21204

SEPTEMBER 30, 1994

95-109-H

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-109-A (Item 109)

2605 Boulevard Place

E/S Boulevard Place, 65' N of centerline Sparrows Point Boulevard

15th Election District - 7th Councilmanic District

Legal Owner: Charles Grimm & Trina Grimm

HEARING: MONDAY, OCTOBER 24, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Variance to permit accessory structures (garage and pool) in the front yard with a 26-foot water setback in lieu of the rear yard and minimum 30 feet, respectively.

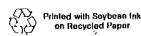
Arnold Jablon Director

cc: Charles and Trina Grimm Harry J. Wallace, et al

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICEORII MELL





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

OCT. 1 7 1994

Charles Grimm 2605 Boulevard Place Baltimore, Maryland 21219

Re: Item #109 Case 95-109

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 23 , 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor

Printed with Soybean Ink on Recycled Paper

10/11/94 4968-94

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

October 6, 1994

TO:

Mr. Arnold Jablon, Director

Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordanator, DEPRM

SUBJECT:

Zoning Item #109 7 Grimm Property

2605 Boulevard Place

Zoning Advisory Committee Meeting of October 3, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

The requested zoning variance cannot be granted until and unless a Chesapeake Bay Critical Area Administrative Variance is granted by the Department of Environmental Protection and Resource Management Director to allow a pool and garage in the 100 foot buffer from tidal waters. The petitioner may apply for this variance from the 100 foot buffer, but there is no guarantee that it will be granted to allow accessory structures in the buffer. A variance application with instructions is attached and should be forwarded to the petitioner at the zoning hearing. Any questions regarding this matter should be directed to Glen Shaffer at 887-3980.

JLP:GS:sp

Attachment

GRIMM/DEPRM/TXTSBP

AND CHARLES.

DEGETTED OCT 11 1994

ZADM



O. James Lighthizer Secretary Hal Kassoff Administrator

9-30-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

Item No.: \$ 109 (1

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David Ramsey, Acting Chief Engineering Access Permits Division

BS/

My telephone number is

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 10/10/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: DISTRIBUTION MEETING OF 10/11/94.

Item No.: SEE BELOW

Zoning Agendas

Gentlemens

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 105, 107, 109, 111 AND 112.

RECEIVED

OCT 11 1994

ZADAA

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

WESTPHINED



cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: September 28, 1994

TO:

Arnold Jablon, Director

Zoning Administration and Development Management

FROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 105, 107, (109) and 111.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:1w

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BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: October 11, 1994 Zoning Administration and Development Management

FROM Robert W. Bowling, P.E., Chief bevelopers Engineering Section

RE: Zoning Advisory Committee Meeting for October 11, 1994 | Items 105, 106, 107, (109) and 111

The Developers Engineering Section has reviewed the subject zoning items and we have no comments.

RWB:sw

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RE: PETITION FOR VARIANCE *
2605 Boulevard Place, E/S Boulevard
Place, 65' N of centerline Sparrows *
Point Boulevard, 15th Election Dist.,
7th Councilmanic District *

Charles Grimm & Trina Grimm Petitioners BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 95-109-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Roter Hap Zimmeinan

role S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____day of October, 1994, a copy of the foregoing Entry of Appearance was mailed to Charles and Trina Grimm, 2605 Boulevard Place, Baltimore, MD 21219, Petitioners.

Peter Mar Zimmerman

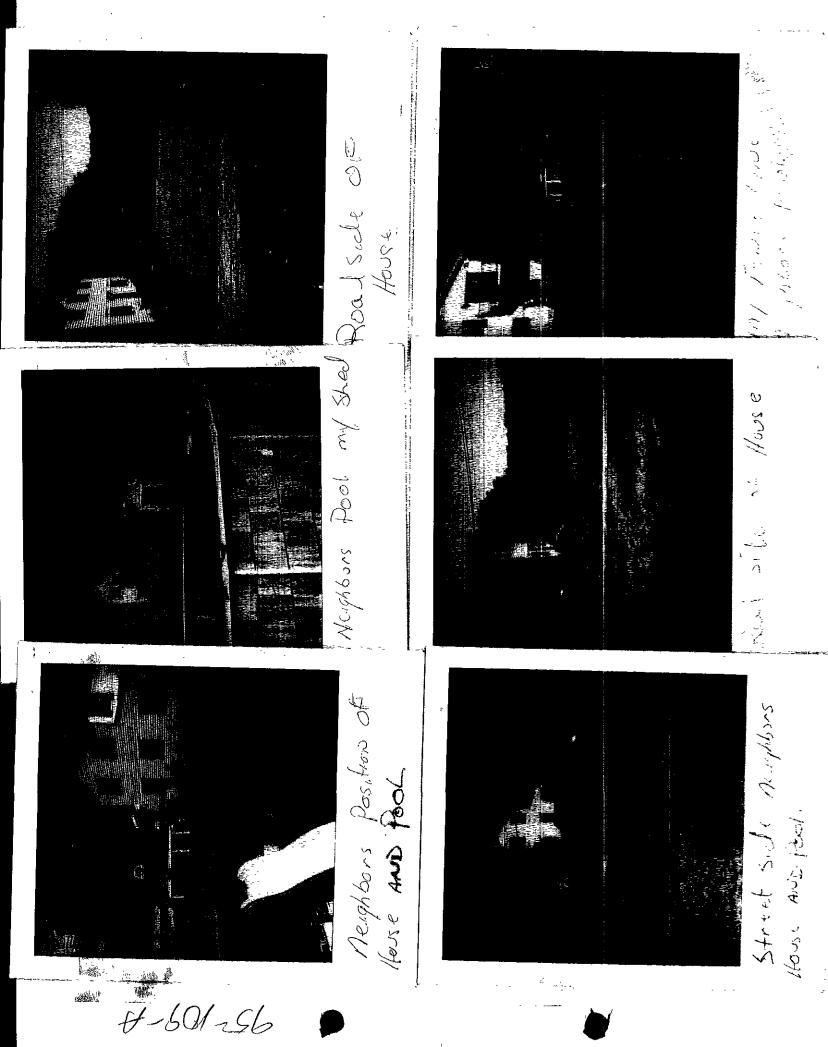
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PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Trina Grimm C. Ton Grimm	
Trina Grimm	2605 Boulevard Place Batto, Md 21219
C. Tom Grimm	Batto, Md 21219
	هم هم همچ ^{۱۱} ۱۲ ماند ساخت سردون و دادان مستور برون چن استوار سودو سر روزون ا لسنار سودون را <u>سرد</u> بروند

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE 5-709-1 Property address: 2605 Boulevard Place Subdivision name: Lodge Forest plat book: 10 folio: 76 Owner: Mr. and Mrs. Charles Grimm Zoning Office Use ONLY! Date: Sept. 19, 1994 Scale: 1"=20' reviewed by item # ファソンヒ 109 Location Information Councilmatic District: 7 Lot size: .18 acres/ 8,060 sq. ft. Election District: 15 Public sewer and water exists Lot lies in Chesapeake Bay Critical Area 1'=200' scale map: SE-7I Zoning: DR. 5.5 No prior zoning hearings EYARD Paving Mac Edwarder 65'± TO SPARROW! POINT BLYD 127 42607 HARRY 12 WALLACE 15-23-000920 MARTIN ALLEN 9420-0625 15-02-201901 ±2601 30' ACCOUN hooly ±15-03-770290 0000-0000 والمدحا 3110 Lot 3108 4 26± Garay ζ. . 141 ABOVE 26 WOODNIDGE SCALE: 1"= 1000 . TICKTH



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,, 1955; Bills No. 56 1961; ich this refers, repealed by A--The following (see also biles and airplanes; ag concrete and/or cinder lipment storage yard; gquering, galvanizing and other permitted uses;

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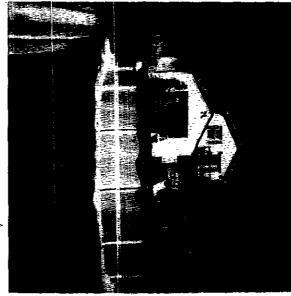
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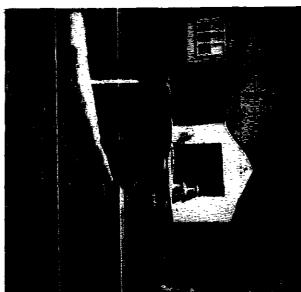
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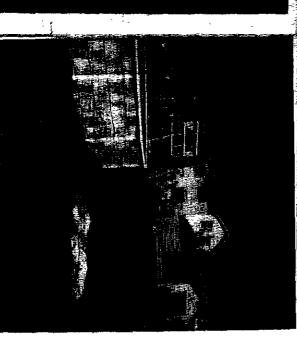


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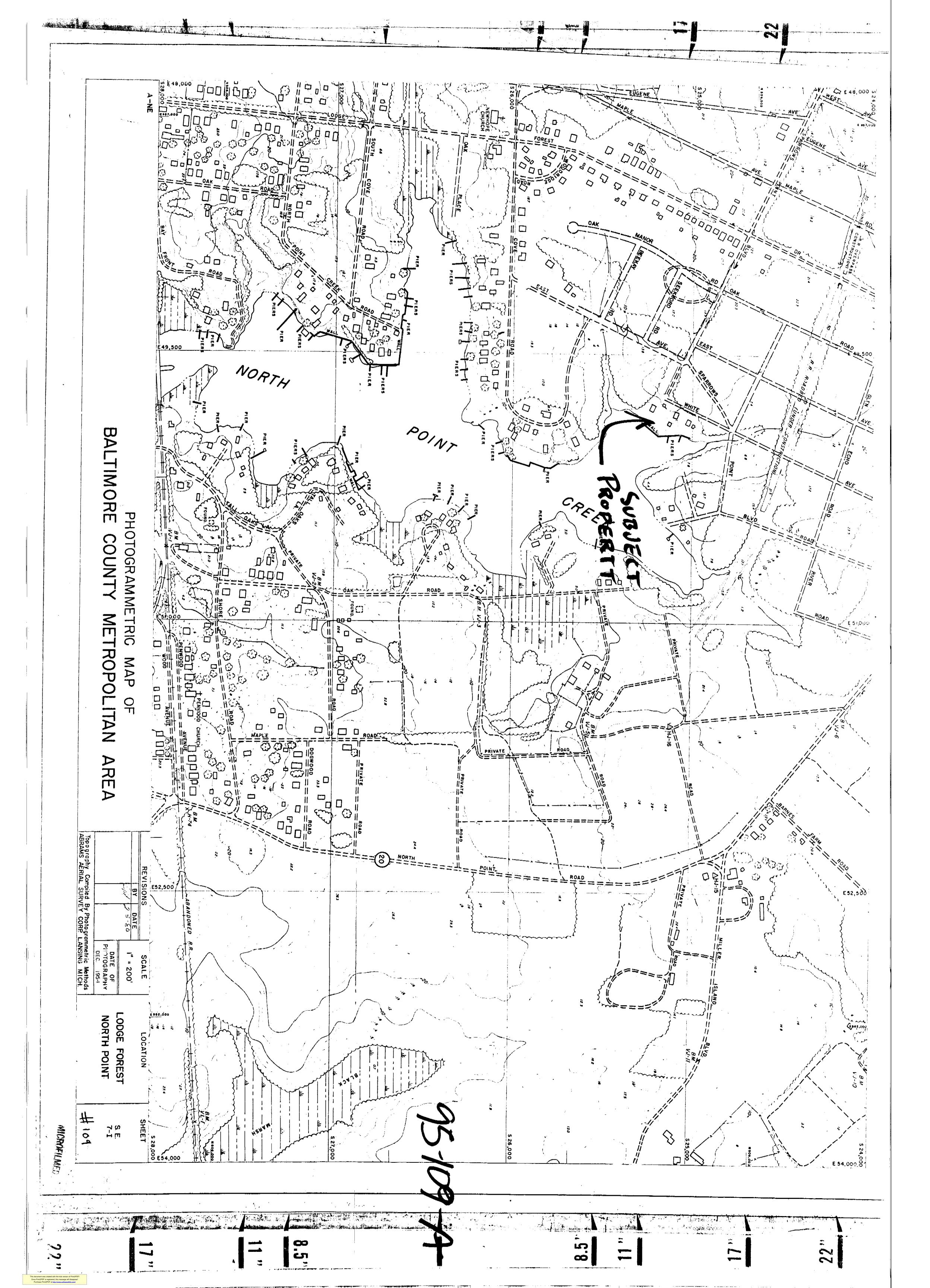
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C'roum TV;



my Pool neighbors Pool

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ARED BY AIR PHOTO: TINSBURG, W.V. 25401 RE COU ZONING LODGE FOREST

